



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/681,910

10/09/2003

Jana H. Jenkins

RSW920030213US1

6409

23550

7590

11/13/2006

HOFFMAN WARNICK & D'ALESSANDRO, LLC  
75 STATE STREET  
14TH FLOOR  
ALBANY, NY 12207

EXAMINER

HARPER, LEON JONATHAN

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 11/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/681,910	<b>Applicant(s)</b> JENKINS, JANA H.	
	<b>Examiner</b> Leon J. Harper	<b>Art Unit</b> 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/10/2003</u>  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment filed 9/6/2006 has been entered. 9/6/2006 has been entered. Claims 1,8,11,19,22 and 30 have been amended. No claims have been added or canceled. Accordingly claims 1-32 are pending in this office action.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 20020120918 (hereinafter Aizenbud) in view of US 6732153 (hereinafter Jakob).

As for claim 1: Aizenbud discloses: providing the message (See paragraph 0054"input message"); configuring a review standard for reviewing the message (See

Art Unit: 2166

paragraph 0054 note: the message processing nodes); and revising the message to address the errors (See paragraph 0054 note: processing nodes can reformat the message).

While Aizenbud does not differ substantially from the claimed invention the disclosure of displaying any errors that are detected concurrently with the message, reviewing the message based on the review standard to detect errors is not necessarily explicit.

Jakob however does disclose: displaying any errors that are detected concurrently with the message (See column 6 lines 59-65), reviewing the message based on the review standard to detect errors (See column 7 lines 45-50). It would have been obvious to an artisan of ordinary skill in the pertinent art to have incorporated the teachings of Jakob into the system of Aizenbud. The modification would have been obvious because there is a need for consistent customized message parsing which will allow uniformity in any distributed environment (See Jakob column 1 line 65- column 2 line 2).

As for claim 2, the rejection of claim 1 is incorporated, and further Aizenbud discloses: wherein the providing step comprises creating a new message (See paragraph 0055).

As for claim 3, the rejection of claim 2 is incorporated, and further Aizenbud discloses: inputting text for the new message using a message creation interface (See paragraph 0055), designating whether the new message is an error message, a warning message, or an information message (See paragraph 0054); inputting an

Art Unit: 2166

explanation and suggested user action using the message creation interface if the new message is an error message or a warning message (See paragraph 0054); assigning a unique identifier to the new message and sending a notification pertaining to the new message (See paragraph 0130).

As for claim 4, the rejection of claim 4 is incorporated, and further Aizenbud discloses: displaying the computer program code associated with the new message concurrently with the text for the new message (See paragraph 0091).

As for claim 5, the rejection of claim 1 is incorporated and further Aizenbud discloses: wherein the providing step comprises an existing message (See paragraph 0090).

As for claim 6, the rejection of claim 5 is incorporated, and further Aizenbud discloses: inputting a unique identifier corresponding to the existing message (0130); obtaining the existing message based on the unique identifier (See paragraph 0130); displaying the existing message in a message edit interface (See paragraph 0090), editing the existing message in the message edit interface (See paragraph 0090); and sending a notification pertaining to the edited existing message (See paragraph 0090 note: update).

Art Unit: 2166

As for claim 7, the rejection of claim 6 is incorporated, and further Aizenbud discloses: displaying the computer program code associated with existing message concurrently with the existing message (See paragraph 0091 note: programmer is stepping through the code with the message).

As for claim 8, the rejection of claim 1 is incorporated, and further Aizenbud discloses: wherein the configuring step comprises designating a saved resource containing message review parameters for ascertaining a structure of a message (See paragraph 0078).

As for claim 9, the rejection of claim 1 is incorporated and further Jakob discloses: wherein the configuring step comprises manually designating message review parameters (See column 6 lines 44-50).

As for claim 10, the rejection of claim 1 and further Aizenbud discloses: wherein the message and the errors are displayed concurrently with the computer program code associated with the message (See paragraph 0091).

Claims 11-20 are computerized system claims corresponding to method claims 1-10 respectively and are thus rejected for the same reasons as set forth in the rejections of claims 1-10.

As for claim 21, the rejection of claim 11 is incorporated, and further Jakob discloses: wherein the message and the errors are displayed concurrently (See column 11 lines 38-45 note: the message has to be displayed in order to edit it).

Claims 22-32 are program product claims corresponding to computerized system claims 11-21 respectively and are thus rejected for the same reasons as set forth in the rejections of claims 11-21.

***Response to Arguments***

Applicant's arguments filed 9/6/2006 have been fully considered but they are not persuasive.

**Applicant argues:**

With respect to independent claims 1,11 and 22, Applicants submit that Aizenbud fails to teach "sent by a computer program code to an end user." In support of its contention to the contrary, the office cites paragraph 0054 of Aizenbud that teaches a visual program... performed by processing logic of a message broker..." As disclosed in 0053,0050 and 0047 message brokers capabilities are supported by message flows that operate at a level facilitating communications.. to reconcile differences between systems and applications.

**Examiner responds:**

Examiner is not persuaded. Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. Interpretation of Claims- Broadest Reasonable Interpretation During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969). In this case the broadest reasonable interpretation consist of providing the message; configuring a review standard for reviewing the message; reviewing the



message based on the review standard to detect errors; displaying any errors that are detected concurrently with the message; and revising the message to address the errors.

**Applicant argues:**

With respect to currently amended dependent claim 8, Applicant submits that the cited reference also fails to teach, designating a saved resource containing message review parameters for ascertaining a structure of a message. As noted on page 3 of the current office action, the office action admits that Aizenbud does not teach this limitation. According to the cited paragraph of col. 6, lines 59-65 Jakobson teaches a message class grammar editor allowing “.. a programmer to quickly and efficiently edit the MCG using a conventional text editor..”. Further to cited paragraph col. 7, lines 45-50 Jakobson teaches performing repeated “... parsing on a specific portion of the message... until the terminal node is reached... However, these cited paragraphs do not explicitly teach or suggest that the editing and parsing is used for “ascertaining a structure of a message.”

**Examiner responds:**

Examiner is not persuaded. Examiner actually did rely on Aizenbud for the limitations of claim 8, and the configuration step which claim 8 further limits. However examiner still address the argument that Aizenbud does not teach “ascertaining a structure of a message in claim 8 as amended. . Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification.

Interpretation of Claims-Broadest Reasonable Interpretation During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969). In this case examiner cited paragraph 0078 of Aizenbud as disclosing "ascertaining a structure of a message." Paragraph 0078 discloses that the debug capabilities of the environment can use break points and even use the structure of the message in order to make modifications to the flow of the message.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Art Unit: 2166

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LJH

Leon J. Harper

November 3, 2006

  
MOHAMMAD ALI  
PRIMARY EXAMINER